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PATENT

Customer No. 20991

Attorney Docket No. PD-200053

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: John BORDER et al.	Art Unit: 2157
Serial No: 09/662,072	Examiner: Hussein EL CHANTI
Filed: 9/14/2000	I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA, 22313-1450
Title: PERFORMANCE ENHANCING PROXY AND METHOD FOR ENHANCING PERFORMANCE	<p><u>9 February 2005</u></p> <p>Date of Deposit</p> <p><u>Ginger Fogle</u></p> <p>Name</p> <p><u>Ginger Fogle</u></p> <p>Signature</p>

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

In accordance with 37 C.F.R. § 1.56, the attention of the Patent and Trademark Office is directed to the cited reference(s) listed on the attached PTO-1449. The cited reference(s) are believed to be the most relevant known to Applicants and/or Assignee at this time concerning the invention as claimed in the above-captioned patent application. No representation is made or intended that more relevant information does not exist or that the order of presentation of the information in any way reflects their relative pertinence.

Applicant(s) respectfully request(s) that each of the cited information be expressly considered during the prosecution of this application and that the cited reference(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom. If required, a copy of each reference is attached.

1. This Information Disclosure Statement is being filed within three months of the U.S. filing date OR before the mailing date of a first Office Action on the merits. Thus, no certification or fee is required.

[X] 2. This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance.

[X] a. I hereby certify that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

[] b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

[] c. Please charge the amount of \$180.00 in payment of the fee under 37 C.F.R. § 1.17(p). Please credit or debit Deposit Account No. 50-0383 as needed to ensure consideration of the disclosed information. A duplicate copy of this paper is attached.

[] 3. This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Applicant(s) petition(s) that the Information Disclosure Statement be considered. Please charge Deposit Account No. 50-0383 in the amount of \$130.00 for payment of the petition fee. Please credit or debit Deposit Account No. 50-0383 as needed to ensure consideration of the disclosed information. A duplicate copy of this paper is attached.

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Please grant any extension of time deemed necessary for entry of this communication.
Please charge any deficient fees, or credit any overpayment of fees associated with this
communication to Deposit Account No. 50-0383. A duplicate copy of this
communication is attached.

Respectfully submitted,

Date: 9 February 2005

By:



Craig L. Plastrik
Registration No. 41,254

THE DIRECTV GROUP, INC.
Customer No. 20991